

**TOWN OF BUCKEYE  
REGULAR COUNCIL MEETING**

**AUGUST 15, 2006**

**MINUTES**

**Town Council Chambers  
100 N. Apache Road  
Buckeye, AZ 85326  
7:00 p.m.**

**1. Call to Order/Pledge of Allegiance/Roll Call.**

Mayor Bryant called the meeting to order at 7:02 p.m. and lead the Pledge of Allegiance.

Members Present: Councilman Hardesty, Councilman Garza, Vice Mayor Beard, Mayor Bryant, Councilman Doster, Councilwoman May, and Councilman Rioux.

Members Absent: None

Staff Present: Interim Town Manager Jeanine Guy, Town Attorney Scott Ruby, Town Clerk Linda Garrison, Public Works Director Scott Lowe, Human Resource Director Toni Brown, Police Chief Dan Saban, Fire Chief Scott Rounds, Assistant to the Town Manager Sarah Blank, Public Information Officer Bob Bushner, Community Development Director Bob Bushfield, and Town Engineer Woody Scoutten.

**2. Comments from the Public - Members of the audience may comment on any item of interest.**

None

**CONSENT AGENDA ITEMS**

Approval of items on the Consent Agenda - All items with an (\*) are considered to be routine matters and will be enacted by one motion and vote of the Town Council unless a Councilmember requests. Item \*5L and \*5M was requested by Community Development to be continued until the September 19, 2006 Regular Council Meeting. A motion was made by Councilman Doster and seconded by Councilwoman May to approve Items \*3, \*4, \*5A, \*5B, \*5C, \*5D, \*5E, \*5F, \*5G, \*5H, \*5I, \*5J, \*5K, and \*5N with the stipulation that all Final Plats shall maintain weed control with herbicides. Motion passed unanimously. A motion was made by Councilwoman May and seconded by Councilman Rioux to Table Item \*5L and Item \*5M until the September 19, 2006 Regular Council Meeting. Motion passed unanimously.

\*3. Council approved the minutes of the August 1, 2006 Workshop and Regular Council meeting as presented.

\*4. Council approved the invoices due by the Town for payment. Copies of invoices are available at Town Hall.

**5. NEW ITEMS - CONSENT AGENDA**

**\*5A.** Council approved the upgrade of the Caselle Financial Management system in the approximate amount of \$52,000 and transfer budget authority from General Fund Contingency (CIP Projects) to the Automation Technology CIP Fund.

**\*5B.** Council approved the budgeted purchase of additional Storage Area Network drives in the approximate amount of \$100,000 from Xiotech.

**\*5C.** Council approved the upgrade to the Police Department's Spillman system in the approximate amount of \$57,000.

**\*5D.** Council approved the Car Allowance Policy as presented.

**\*5E.** Council approved the request to reclassify the Management Assistant to the Town Manager to the Assistant to the Town Manager, Grade 64, Step 3.

**\*5F. BLUE HORIZONS PARCEL 11 FP05-72**

Council approved a Final Plat for Blue Horizons Parcel 11 for approximately 25.36 acres consisting of 124 single family lots generally located north of the Blue Horizons Parkway within the north half of Section 8, subject to the attached stipulations requested by Mauricio Iaquelli of REB Consulting on behalf of Matt Cox of Lennar Homes.

**\*5G. BLUE HORIZONS PARCEL 10 FP05-71**

Council approved a Final Plat for Blue Horizons Parcel 10 for approximately 28.32 acres consisting of 133 single family lots generally located north of the Blue Horizons Parkway within the northwest half of Section 8, subject to the attached stipulations request by Mauricio Iaquelli of REB Consulting on behalf of Matt Cox of Lennar Homes.

**\*5H. BLUE HORIZONS PARCEL 9 FP05-52**

Council approved a Final Plat for Blue Horizons Parcel 9 on approximately 24.8 acres consisting of 23 single family lots generally located northwest of the Blue Horizons Parkway within the northwest quarter of Section 8, subject to the attached stipulations requested by Mauricio Iaquelli of REB Consulting on behalf of Matt Cox of Lennar Homes.

**\*5I. BLUE HORIZONS PARCEL 8 FP05-84**

Council to consider and if advisable, approve a Final Plat for Blue Horizons Parcel 8 on approximately 21.59 acres consisting of 87 single family lots generally located northwest of the Blue Horizons Parkway within the northwest quarter of Section 8, subject to the attached stipulations requested by Mauricio Iaquelli of REB Consulting on behalf of Matt Cox of Lennar Homes.

**\*5J. TRILLIUM PHASE 1 MASTER PLAT #1 FP06-23**

Council approved a Final Plat on approximately 124.4 acres consisting of 19 tracts and 6 parcels generally located west of Sun Valley Parkway, north of Trillium Parkway, east of 300<sup>th</sup> Drive, and south of Soledad Street requested by Paul Gilbert on behalf of Joel Farkas of Trillium West, L.L.C.

**\*5K. RIATA WEST UNIT 2 FP05-87**

Council approved a Final Plat for Riata West Unit 2 on approximately 110.16 acres consisting of 453 single family lots generally located west of Riata Parkway within a portion of the south half of Section 28. Riata West is bounded by Watson Road to the east, Riata Parkway to the west, Roeser Road to the north and Southern Avenue to the south requested by Eric Froberg of RBF Consulting on behalf of D.R.Horton Inc. – Dietz-Crane.

**\*5L. VERRADO PARCEL 4.505 FP05-79**

Council Tabled a Final Plat for Parcel 4.505 for the Verrado Master Planned Community on approximately 6.63 acres, generally located east of Verrado Way and north of Sunrise Lane within Phase 1B north of the Verrado Master Planned Community requested by Kurt Jones of Anderson Brody Buchalter Nemer on behalf of Fidelity National Title Company Tr B 1 76.

**\*5M. VERRADO PARCEL 4.616 FP05-80**

Council Tabled a Final Plat for Parcel 4.616 for the Verrado Master Planned Community on approximately 3.36 acres, generally located east of Verrado Way and south of Sunrise Lane within Phase 1B north of the Verrado Master Planned Community requested by Kurt Jones of Anderson Brody Buchalter Nemer on behalf of Fidelity National Title Company Tr B 1 76.

**\*5N. VERRADO PARCEL 5.505 FP06-60**

Council approved a Final Plat for Parcel 5.505 for the Verrado Master Planned Community on approximately 60 acres, generally located west of Golf Drive and north of Sunrise Lane within Phase 3 North of the Verrado Master Planned Community requested by Kurt Jones of Anderson Brody Buchalter Nemer on behalf of Fidelity National Title Company Tr B 1 76.

## **6. NON CONSENT AGENDA ITEMS – NEW BUSINESS**

### **6A. Ordinance 65-06 Annexation Yuma Road alignment and east of the 315<sup>th</sup> Avenue- Jon and Shannon Cowell on behalf of Jim and Sandy Harris-COWELL A06-11**

A motion was made by Councilwoman May and seconded by Councilman Rioux to adopt Ordinance 65-06 increasing the corporate limits of the Town of Buckeye, Arizona, by annexing approximately five acres contiguous to the existing Town limits of the Town of Buckeye, Arizona, generally located south of the Yuma Road alignment and east of the 315<sup>th</sup> Avenue alignment requested by Jon and Shannon Cowell on behalf of Jim and Sandy Harris. Motion passed unanimously.

### **6B. TARTESSO TOWN CENTER ADDITIONAL ACRES A05-39**

A motion was made by Councilwoman May and seconded by Councilman Doster to adopt Ordinance 66-06 increasing the corporate limits of the Town of Buckeye, Arizona, by annexing approximately 174 acres contiguous to the existing Town limits of the Town of Buckeye, Arizona, located to the southeast of Van Buren Street, and Sun Valley Parkway requested by Stephen Earl on behalf of Stardust Development Inc. Motion passed unanimously.

### **6C. PUBLIC HEARING-General Plan Amendment to the Town of Buckeye General Development Plan Land Use District Map**

A Public Hearing was opened at 7:10 p.m. to hear citizen input on the request by George Musser of Musser Engineering on the proposed General Plan Amendment to the Town of Buckeye General Development Plan Land Use District Map and amending the designation of approximately fourteen acres located at the southwest corner of Yuma Road and the Tuthill Road alignment from Open Space to Mixed Economic Use. There was some Council discussion on open space of approximately eleven (11) acres. There being no public comment the hearing was closed at 7:17 p.m.

### **6D. Resolution 35-06- YUMA/TUTHILL COMMERCIAL CENTER GENERAL PLAN AMENDMENT GPA(m)06-01**

The School District is aware of the high density. After some discussion a motion was made by Councilwoman May and seconded by Councilman Hardesty to adopt Resolution 35-06 authorizing a General Plan Amendment to the Town of Buckeye General Development Plan Land Use District Map and amending the designation of approximately fourteen acres located at the southeast corner of Yuma Road and the Tuthill Road alignment from Open Space to Mixed Economic Use requested by George Musser of Musser Engineering Consultants, Inc. on behalf of Mountain Views South, L.L.C. c/o P.K. Development, L.L.C. Motion passed unanimously.

### **6E. Ordinance 67-06-YUMA/TUTHILL COMMERCIAL CENTER REZONING RZ06-04**

A motion was made by Councilwoman May and seconded by Councilman Hardesty to adopt Ordinance 67-06 amending the Zoning Map of the Town of Buckeye on approximately fourteen acres generally located at the southeast corner of Yuma Road and the Tuthill Road alignment to the Commercial Center (CC) Zoning District requested by George Musser of Musser Engineering Consultants, Inc. on behalf of Mountain Views South, L.L.C. c/o P.K. Development, L.L.C. Motion passed unanimously.

### **6F. BLUE HORIZONS (Phase 2) MAP OF DEDICATION MOD05-10**

A motion was made by Councilwoman May and seconded by Vice mayor Beard to approve a Map of Dedication (MOD) for the roadways in Phase 2 in the Blue Horizons Community Master Plan located in a portion of Section 8, Township 1 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona requested by Mauricio Iaquelli of RBF Consulting on behalf of Matt Cox of Lennar Homes. Motion passed unanimously.

### **6G. PUBLIC HEARING -DESERT CREEK AREA PLAN AP05-10**

A Public Hearing was opened at 7:29 p.m. to hear citizen input on the proposed request by Denise Lacey of RBF Consulting on behalf of the applicant Rose Law Group, P.C. of an Area Plan for the Desert Creek project covering nearly 2,233 acres located near the western edge of the Town of Buckeye Planning Area and Interstate 10 and the Hassayampa River. After a presentation by Carolyn Oberholtzer and no public comment the hearing was closed at 7:42 p.m.

**6H. Resolution 36-06-DESERT CREEK AREA PLAN AP05-10**

After some discussion a motion was made by Councilwoman May and seconded by Vice Mayor Beard to adopt Resolution 36-06 approving an Area Plan for the Desert Creek Project on approximately 2,233 acres generally located hear the western edge of the Town of Buckeye Planning Area at Interstate 10 and the Hassayampa River requested by Denise Lacey of RBF Consulting on behalf of the applicant, Rose Law Group, P.C. Motion passed unanimously.

**6I. PUBLIC HEARING - Cotton Pickin' L.L.C. General Plan Amendment (m)GPA05-09**

A Public Hearing was opened at 7:50 p.m. to hear citizen input on the request by Denise Lacey of RBF Consulting on behalf of Cotton Pickin' L.L.C. for the proposed General Plan Amendment on approximately 19.97 acres from Agricultural/Rural Residential to General Commercial, located on the southeast corner of MC85 and Watson Road. There being no public comment the hearing was closed at 7:52 p.m.

**6J. COTTON PICKIN' (m)GPA05-09**

Councilman Rioux abstained from discussion and voting. A motion was made by Councilwoman May and seconded by Vice Mayor Beard to adopt Resolution 37-06 authorizing a General Plan Amendment to the Town of Buckeye General Development Plan Land Use Plan and amending the designation of approximately 19.97 acres generally located on the southeast corner of MC 85 and Watson Road from an Agriculture/Rural Residential designation to the General Commercial designation requested by Denise Lacey of RBF Consulting on behalf of Cotton Pickin' L.L.C. Councilman Hardesty, Councilman Doster, Councilman Garza, Councilwoman May, Vice Mayor Beard, and Mayor Bryant voted aye. Councilman Rioux abstained. Motion carried.

**6K. Ordinance 68-06 -COTTON PICKIN' RZ05-34**

Councilman Rioux abstained from discussion and voting. A motion was made by Councilwoman May and seconded by Vice Mayor Beard to adopt Ordinance 68-06 amending the Zoning Map of the Town of Buckeye on approximately 19.97 acres generally located on the southeast corner of MC 85 and Watson Road from the Rural Residential (RR) Zoning District to the Commercial Center (CC) Zoning District requested by Denise Lacey of RBF Consulting on behalf of Cotton Pickin' L.L.C. Councilman Hardesty, Councilman Doster, Councilman Garza, Councilwoman May, Vice Mayor Beard, and Mayor Bryant voted aye. Councilman Rioux abstained. Motion carried.

**6L. MONTIERE COMMUNITY MASTER PLAN CMP05-03**

The applicant requested this item be Tabled until the September 5, 2006 Regular Council Meeting. A motion was made by Councilwoman May and seconded by Vice Mayor Beard to Table Ordinance 69-06 approving both a Development Agreement and the Community Master Plan for the development known as Montiere, a Master Plan Community by Westpac Development Corporation on approximately 593 acres of land and authorizing execution of the Development Agreement requested by Manjula Vaz of Gammage and Burnham on behalf of Johnson Family Trust until the September 5, 2006 Regular Council Meeting. Motion passed unanimously.

**6M. PUBLIC HEARING -BUCKEYE COMMERCE CENTER A06-07**

A Public Hearing was opened at 7:53 p.m. to hear citizen input on the request by Kristin Thoma on behalf of Roger Buttrum/RDB Construction for the proposed annexation of approximately 31/31 acres from Maricopa County to the Town of Buckeye, generally located at the northwest corner of MC 85 and Rooks Road. Their being no public comment the hearing was closed at 7:54 p.m.

**6N. Amendment #2 to Project Engineering Consultants, LTD, Contract #PW2006ENG-0001**

A motion was made by Councilman Doster and seconded by Councilwoman May to approve Amendment #2 to Project Engineering Consultants, LTD, Contract #PW2006ENG-0001, in the amount of \$98,530 to extend the 8" branching water mains that were installed in the first phase into the southern residential neighborhoods of downtown Buckeye. Motion passed unanimously.

#### **6O. PUBLIC HEARING-Sunset Vista**

A Public Hearing was opened at 8:01 p.m. to hear citizen input in support of, or objections to, a proposed reallocation of assessments for Assessment No. 12 (aka Sunset Vista) within the Miller Road Improvement District as submitted by Elliott Homes. Larry Harmer reviewed the process. The property owners were made aware of the one-time \$650 fee at the time of purchase. Lynn Moon wanted a more thorough explanation of the fee. Vaughn Mickelson reviewed the process. There being no further public comment the hearing was closed at 8:11 p.m.

#### **6P. Resolution 38-06 Modification of Assessments of Assessment 12 of the Miller Road Improvement District**

A motion was made by Councilman Doster and seconded by Vice Mayor Beard to adopt Resolution 38-06 approving the application for Modification of Assessments of Assessment 12 of the Miller Road Improvement District. Councilman Rioux and Councilwoman May voted nay. Councilman Hardesty, Councilman Garza, Councilman Doster, Vice Mayor Beard, and Mayor Bryant voted aye. Motion carried.

#### **6Q. Resolution 39-06- Modification of Assessments of Assessment 5 of the Miller Road Improvement District**

No lots have been sold. A motion was made by Councilman Doster and seconded by Vice Mayor Beard to adopt Resolution 39-06 approving the application for Modification of Assessments of Assessment 5 of the Miller Road Improvement District. Motion passed unanimously.

#### **6R. Resolution 40-06- Modification of Assessments of Assessment 4 of the Miller Road Improvement District**

A motion was made by Councilman Doster and seconded by Councilman Hardesty to adopt Resolution 40-06 approving the application for Modification of Assessments of Assessment 4 of the Miller Road Improvement District. Motion passed unanimously.

#### **7. Town Manager's Report**

- \*League Conference
- \*Shirts made for League Conference
- \*08-26-06 is Graffiti Day for 8:00 to 11:00 a.m.
- \*Eagle Scout Candidate to paint 21 fire hydrants for Town.
- \*Complimented staff for work during recent storms.
- \*Asked for Council direction for Workshop on non-profits

#### **8. Comments from the Mayor and Council**

Councilman Rioux-Commended Jeanine and Department Heads  
Councilman Hardesty-Commended Jeanine for hard work and work well done.  
Councilman Garza-Commended Jeanine for a job well done.  
Councilman Doster-None  
Councilwoman May-None  
Vice Mayor Beard-Commended Jeanine for her hard work.  
Mayor Bryant-Thank everyone

**9. Adjournment.**

There being no further business to come before Council a motion was made by Councilman Rioux and seconded by Councilwoman May to adjourn the meeting at 8:24 p.m. Motion passed unanimously.

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**Bobby Bryant, Mayor**

**ATTEST:**

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**Linda Garrison, Town Clerk**

I hereby certify that the foregoing is a true and correct copy of the Regular Meeting held on the 15th day of August, 2006. I further certify that a quorum was present.

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**Linda Garrison, Town Clerk**